

(g) of this section, no RD employee or spouse or minor child of an RD employee, may knowingly: Purchase an interest in or sell real property to; lease real property to or from; sell to, lease to or from, or purchase personal property from; seek or accept credit from RD-financed cooperative associations; or employ for compensation a person whom the RD employee or spouse or minor child of the RD employee, knows or reasonably should know is an RD program participant directly affected by decisions of the particular RD office in which the RD employee serves.

(2) *Exceptions.* Paragraph (e)(1) of this section does not apply to a sale, lease, or purchase of personal property, if it involves goods available to the general public at posted prices that are customary and usual within the community. (f) *Prohibited outside employment.* No RD employee may provide personal consulting services for any person or entity with an application on file with, grant from, or outstanding loan or loan guaranty with RD, if the application, grant, or outstanding loan or loan guaranty could be affected directly by decisions of the particular RD office in which the RD employee serves.

(g) *Waiver—(1) Approving officials.* A written request for an exception to the prohibitions found in paragraphs (d) and (e) of this section may be submitted in advance of the transaction by the RD employee (whether on his or her own behalf, or on behalf of the employee's own spouse or minor child) to:

(i) The RD State Director, for RD State-level employees; or

(ii) The Deputy Administrator for Operations and Management, for RD State Directors and National Office employees.

(2) *Standards.* The RD State Director or Deputy Administrator for Operations and Management may grant a written waiver from this prohibition based on a determination made with the concurrence of the USDA Office of Ethics that all three of the following conditions are satisfied:

(i) The waiver is not inconsistent with part 2635 of this title, this part, or 7 U.S.C. 1986, nor otherwise prohibited by law, and that, under the particular circumstances, application of the prohibition is not necessary to avoid the appearance of misuse of position or loss of impartiality or otherwise to ensure confidence in the impartiality and objectivity with which agency programs are administered;

(ii) The transaction:

(A) Appears free of duress or favoritism;

(B) Does not involve a contractual relationship or obligation that exceeds 365 consecutive calendar days; and

(C) Is in the best interests of the RD program participant; and

(iii) A denial of the request would likely cause significant hardship to the RD program participant.

(3) *Additional conditions.* A waiver under this paragraph may impose appropriate conditions, such as requiring execution of a written disqualification. Approval of a waiver under this paragraph does not exempt the employee from complying with other applicable programmatic requirements under 7 CFR part 3550.9.

(h) *Additional prior approval requirement for outside employment.* (1) Any RD employee wishing to engage in outside employment as defined in paragraph (b) of § 8301.102 and who is not otherwise required to obtain approval therefor under that section, shall obtain prior written approval in accordance with the procedures set forth in paragraphs (c) and (d) of § 8301.102 if the outside employment is covered under paragraph (h)(2) or paragraph (h)(3) of this section.

(2) Outside employment is subject to the prior approval requirement of this paragraph if it involves any of the following activities, if conducted in the area serviced by the RD office in which the employee serves:

(i) Sale, appraisal, or assessment of real estate;

(ii) Performance of real estate brokerage services;

(iii) Service as a title attorney or title insurance representative;

(iv) Real estate development, including the construction of houses or other buildings;

(v) Service as an officer or on the board of directors of a bank or savings and loan association;

(vi) Service as an officer, member of the board of directors or trustees, or as an employee of an RD-financed entity;

(vii) Service as an officer, employee, or member of a governing board of a State, county, municipal, or other local political jurisdiction having the power to tax or zone real estate;

(viii) Membership in grazing associations, un-incorporated Economic Opportunity cooperatives, rental housing groups, and closely-held labor housing organizations;

(ix) Insurance sales; or

(x) Land speculation.

(3) Outside employment is also subject to the prior approval requirements of this paragraph if it is with or for a person whom the RD employee knows, or reasonably should know, is both:

(i) An RD program participant; and
(ii) Directly affected by decisions made by the particular RD office in which the RD employee serves.

Dated: August 8, 2010.

Thomas J. Vilsack,
Secretary.

Approved: August 13, 2010.

Robert I. Cusick,
Director, Office of Government Ethics.

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DEPARTMENT OF THE TREASURY

Fiscal Service

31 CFR Part 215

RIN 1510-AB06

Withholding of District of Columbia, State, City and County Income or Employment Taxes by Federal Agencies; Technical Amendment

AGENCY: Financial Management Service, Fiscal Service, Treasury.

ACTION: Technical amendment.

SUMMARY: This document contains a technical amendment to the final regulation (31 CFR 215.3), published in the **Federal Register** of Friday, January 13, 2006, (71 FR 2150). The regulation provides procedures for entering into a withholding agreement, including providing an address for the Secretary of the Treasury for withholding agreement consent letters. This document corrects the address to which the letters are sent.

DATES: Effective on August 23, 2010.

FOR FURTHER INFORMATION CONTACT: Agency Enterprise Solutions Division, 202-874-9428.

SUPPLEMENTARY INFORMATION:

I. Background

The procedures for entering into a withholding agreement provided in 31 CFR § 215.3 include an address to the Secretary of the Treasury for withholding agreement consent letters. The address provided in the published regulations indicates the Assistant Commissioner, Federal Finance, as the recipient. The address is amended to indicate the Assistant Commissioner, Payment Management, as the recipient of the letters.

II. Need for Correction

As published, the final regulations contain an inaccurate address which may cause delay delivery and processing.

List of Subjects in 31 CFR Part 215

State and local tax withholding, Federal employees.

■ Accordingly, 31 CFR part 215 is corrected by making the following technical amendments:

PART 215—WITHHOLDING OF DISTRICT OF COLUMBIA, STATE, CITY AND COUNTY INCOME OR EMPLOYMENT TAXES BY FEDERAL AGENCIES

■ 1. The authority citation for part 215 continues to read as follows:

Authority: 5 U.S.C. 5516, 5517, 5520; E.O. 11997, 42 FR 31759.

■ 2. Revise the third sentence of paragraph (a) of § 215.3 to read as follows:

§ 215.3 Procedures for entering into a Withholding Agreement.

(a) * * * The letter shall be sent to the Secretary by addressing the request to: Assistant Commissioner, Payment Management, Financial Management Service, Department of the Treasury, 401 14th Street, SW., Washington, DC 20227. * * *

* * * * *

Dated: August 16, 2010.

Sheryl R. Morrow,

Assistant Commissioner, Payment Management.

[FR Doc. 2010-20684 Filed 8-19-10; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Parts 150 and 165

[Docket No. USCG-2009-0589]

RIN 1625-AA00, RIN 1625-AA11

Regulated Navigation Areas, Safety Zones, Security Zones; Deepwater Ports in Boston Captain of the Port Zone, MA

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: The Coast Guard is establishing regulated navigation areas (RNAs) and safety and security zones around the recently constructed Neptune Deepwater Port Facility, and modifying RNA and safety zone regulations for the existing Northeast Gateway Deepwater Port (NEGDWP), both of which are located in the waters of the Atlantic Ocean off the coast of Gloucester, Massachusetts. The purpose

of these regulated areas is to protect vessels and mariners from the potential safety hazards associated with deepwater port operations, and to protect the liquefied natural gas carriers (LNGCs) and deepwater port infrastructure from security threats or other subversive acts. All vessels, with the exception of LNGCs and deepwater port support vessels, will be prohibited from anchoring within 1,000 meters of the submerged turret loading (STL) buoys associated with the deepwater port, and prohibited from entering waters within 500 meters of the deepwater port STL buoys or the LNGCs using them. Additionally, vessels will be prohibited from deploying equipment which could become entangled in submerged infrastructure within 1,000 meters of STL buoys.

DATES: This rule is effective September 20, 2010.

ADDRESSES: Comments and material received from the public, as well as documents mentioned in this preamble as being available in the docket, are part of docket USCG-2009-0589 and are available online at <http://www.regulations.gov>, inserting USCG-2009-0589 in the "Keyword" box, and then clicking "Search." This material is also available for inspection or copying at the Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or e-mail LCDR Pamela Garcia, Coast Guard Sector Boston, 427 Commercial St., Boston, MA; telephone 617-223-3028; e-mail Pamela.P.Garcia@uscg.mil. If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202-366-9826.

SUPPLEMENTARY INFORMATION:

Regulatory Information

On April 1, 2010, we published a notice of proposed rulemaking (NPRM) entitled "Regulated Navigation Areas, Safety Zones, Security Zones; Deepwater Ports in Boston Captain of the Port Zone, MA" in the **Federal Register** (75 FR 16370). We received no comments on the proposed rule. No public meeting was requested, and none was held.

Basis and Purpose

The basis for this rulemaking is the Coast Guard's authority to establish security zones, safety zones, and

regulated navigation areas, under 33 U.S.C. 1226, 1231; 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05-1, 6.04-1, 6.04-6, 160.5; Public Law 107-295, 116 Stat. 2064; and Department of Homeland Security Delegation No. 0170.1. Generally, a security zone is an area of water, land, or both, designated for a certain time to protect vessels, harbors, ports, and waterfront facilities from sabotage, damage, or injury due to subversive acts, accidents, or other causes of a similar nature. A safety zone is an area of water, land, or both designated for a certain time for safety or environmental purposes. A regulated navigation area is a water area within a defined boundary for which regulations for vessels navigating within the area have been established, to control vessel traffic in a place determined to have hazardous conditions. 33 CFR 165.10; U.S.C.G. Commandant Instruction Manual M16704.3A, 1-5, 1-6.

The purpose of this rulemaking is to protect mariners from the hazards associated with submerged deepwater port infrastructure and to ensure safety at and around LNGCs engaged in regasification and transfer operations at the Neptune and Northeast Gateway deepwater ports. The Neptune RNAs will prohibit vessels from anchoring or otherwise deploying equipment that could become entangled in submerged infrastructure within 1,000 meters of Neptune's STL buoys, and will prohibit vessels from commercial fishing or other activities on or below the waterway using nets, dredges, traps, or remotely operated vehicles (ROVs). Diving in the Neptune RNAs will be prohibited without the permission of the COTP. This diving prohibition will also be extended to the existing RNAs for the Northeast Gateway Deepwater Port.

Background

On March 23, 2007, the Maritime Administration (MARAD) in accordance with the Deepwater Port Act of 1974 (DPA), as amended, 33 U.S.C. 1501 *et seq.*, issued a license to Suez Energy to own, construct, and operate a natural gas deepwater port. This port, Neptune Deepwater Port (Neptune), is located in the Atlantic Ocean, approximately eight nautical miles south-southeast of Gloucester, Massachusetts, in Federal waters. The coordinates for the two submerged turret loading buoys are: STL Buoy A, Latitude 42°29'12.3" N, Longitude 70°36'29.7" W and STL Buoy B, Latitude 42°27'20.5" N, Longitude 70°36'7.3" W. Neptune can accommodate the mooring, connecting, and offloading of two (2) LNGCs at one time. Neptune's operator plans to